

REMARKS

This paper is filed in response to the Office Action dated September 17, 2003. As this paper is filed on December 17, 2003, the paper is timely filed.

I. Status of Amendments

Applicant previously cancelled claims 1-25 and added claims 26-48. By this amendment, applicant cancels claims 26-48 and adds claims 49-69. Thus, claims 49-69 are presently pending.

Applicants previously paid for 6 independent and 25 total claims. Consequently, no further fee is due.

II. Response to Office Action

In the September 17 Office Action, claims 26-48 were rejected under 35 U.S.C. 103 as allegedly unpatentable over Dickinson (U.S. Patent No. 5,951,397) in view of Rysavy et al. (U.S. Patent No. 4,929,935) in view of Webb et al. (U.S. Patent No. 5,216,504) further in view of Buckley (U.S. Patent No. 5,969,756). While applicant's cancellation of claims 26-48 moots this rejection, applicant has the following comments regarding this collection of references.

Claim 49 recites a gaming apparatus including, in part, a display unit having a display area, a touch-sensitive input device disposed overlaying a portion of the display unit, a sensor disposed overlaying a portion of the touch-sensitive input device and having a field of view, and a controller operatively coupled to the display unit, the touch-sensitive input device, and the sensor. The controller is programmed to cause a first video image to be generated on the display unit, the first video image representing a game and including at least one user input area. The controller is also programmed to cause a second video image to be generated on the display unit, the second video image being larger than the field of view of the sensor and smaller than the display area, having a spatial relationship to the at least one user input area of the first video image and including a plurality of regions each having at least one unique characteristic relative to the other regions of the plurality of regions, the plurality of regions

with at least one target region. The controller is further programmed to receive a signal from the sensor, to determine if at least one of the plurality of regions is within the field of view of the sensor, to alter the position of the first and second video images until at least one of the plurality of regions is within the field of view of the sensor, to determine which of the plurality of regions is within the field of view of the sensor, and to alter the position of the first and second video images relative to the sensor until the at least one target region is within the field of view of the sensor.

The references cited do not, individually or in combination, disclose, teach or suggest, the subject matter recited in claim 49. In regard to Webb et al., applicant notes that claim 49 recites that the controller is programmed to receive a signal from the sensor, to determine if at least one of the plurality of regions is within the field of view of the sensor, and to alter the position of the first and second video images until at least one of the plurality of regions is within the field of view of the sensor. Webb et al. does not disclose, teach or suggest anything of the sort. To the contrary, Webb et al. states that the pattern, which is displayed on the entire screen, is “captured” and then digitized for analysis. One skilled in the art, following Webb et al., would construct a device that would “capture” the entire screen for analysis, such that there would be no need to alter the position of the allegedly corresponding first and second images until at least one of the allegedly corresponding plurality of regions was within the field of view of the sensor. Without applicant’s teachings in this regard, there would be no teaching, suggestion or motivation to modify Webb et al. (or the collection of cited references) such that it (they) would form applicant’s claimed subject matter.

The limitations that are missing from Webb et al. are not to be found in Dickinson, Rysavy et al. or Buckley et al.. Consequently, as each and every limitation of claim 49 is not disclosed, suggested or taught by Webb et al., Dickinson, Rysavy et al. or Buckley et al., whether taken individually or in combination, the rejection under 35 U.S.C. 103 should be withdrawn.

Similarly, claims 50-59 that depend from claim 49 are allowable, in part, because each and every limitation of claim 49 is not disclosed, suggested or taught by Webb et al., Dickinson, Rysavy et al. or Buckley et al., whether taken individually or in combination.

Furthermore, it is submitted that applicant’s arguments apply with equal force to claims 60-69. In particular, it is noted that claim 60 recites a method that includes: causing a

second video image to be generated on a display unit having a display area, the second video image being larger than the field of view of a sensor and smaller than the display area, having a spatial relationship to the at least one user input area of the first video image and including a plurality of regions each having at least one unique characteristic relative to the other regions of the plurality of regions, the plurality of regions with at least one target region; receiving a signal from the sensor; determining if at least one of the plurality of regions is within the field of view of the sensor; altering the position of the first and second video images until at least one of the plurality of regions is within the field of view of the sensor; determining which of the plurality of regions is within the field of view of the sensor; and altering the position of the first and second video images relative to the sensor until the at least one target region is within the field of view of the sensor. Moreover, given that each and every limitation of claim 60 is not disclosed, suggested or taught by Webb et al., Dickinson, Rysavy et al. or Buckley et al., whether taken individually or in combination, the claims 61-69 that depend from claim 60 are allowable.

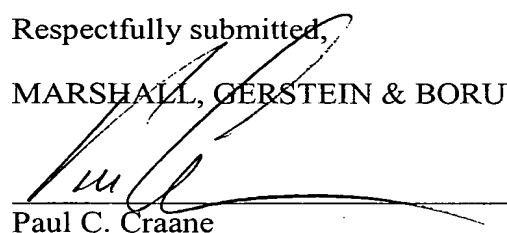
In view of the foregoing, it is respectfully submitted that the above application is in condition for allowance, and reconsideration is respectfully requested. If there is any matter that the Examiner would like to discuss, the Examiner is invited to contact the undersigned representative at the telephone number set forth below.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN

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